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**AMENDMENT TO H.R. 4548, AS REPORTED
OFFERED BY MR. GALLEGLY OF CALIFORNIA**

Add at the end the following new title:

**1 TITLE VII—REFORM OF DES-
2 IGNATION OF FOREIGN TER-
3 RORIST ORGANIZATIONS**

**4 SEC. 701. DESIGNATION OF FOREIGN TERRORIST ORGANI-
5 ZATIONS.**

6 (a) PERIOD OF DESIGNATION.—Section 219(a)(4) of
7 the Immigration and Nationality Act (8 U.S.C.
8 1189(a)(4)) is amended—

9 (1) in subparagraph (A)—

10 (A) by striking “Subject to paragraphs (5)
11 and (6), a” and inserting “A”; and

12 (B) by striking “for a period of 2 years be-
13 ginning on the effective date of the designation
14 under paragraph (2)(B)” and inserting “until
15 revoked under paragraph (5) or (6) or set aside
16 pursuant to subsection (c)”;

17 (2) by striking subparagraph (B) and inserting
18 the following:

19 “(B) REVIEW OF DESIGNATION UPON PE-
20 TITION.—



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“(i) IN GENERAL.—The Secretary shall review the designation of a foreign terrorist organization under the procedures set forth in clauses (iii) and (iv) if the designated organization files a petition for revocation within the petition period described in clause (ii).

“(ii) PETITION PERIOD.—For purposes of clause (i)—

“(I) if the designated organization has not previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date on which the designation was made; or

“(II) if the designated organization has previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date of the determination made under clause (iv) on that petition.

“(iii) PROCEDURES.—Any foreign terrorist organization that submits a petition for revocation under this subparagraph



1 must provide evidence in that petition that
2 the relevant circumstances described in
3 paragraph (1) have changed in such a
4 manner as to warrant revocation with re-
5 spect to the organization.

6 “(iv) DETERMINATION.—

7 “(I) IN GENERAL.—Not later
8 than 180 days after receiving a peti-
9 tion for revocation submitted under
10 this subparagraph, the Secretary shall
11 make a determination as to such rev-
12 ocation.

13 “(II) CLASSIFIED INFORMA-
14 TION.—The Secretary may consider
15 classified information in making a de-
16 termination in response to a petition
17 for revocation. Classified information
18 shall not be subject to disclosure for
19 such time as it remains classified, ex-
20 cept that such information may be
21 disclosed to a court ex parte and in
22 camera for purposes of judicial review
23 under subsection (c).

24 “(III) PUBLICATION OF DETER-
25 MINATION.—A determination made by



1 the Secretary under this clause shall
2 be published in the Federal Register.

3 “(IV) PROCEDURES.—Any rev-
4 ocation by the Secretary shall be
5 made in accordance with paragraph
6 (6).”; and

7 (3) by adding at the end the following:

8 “(C) OTHER REVIEW OF DESIGNATION.—

9 “(i) IN GENERAL.—If in a 6-year pe-
10 riod no review has taken place under sub-
11 paragraph (B), the Secretary shall review
12 the designation of the foreign terrorist or-
13 ganization in order to determine whether
14 such designation should be revoked pursu-
15 ant to paragraph (6).

16 “(ii) PROCEDURES.—If a review does
17 not take place pursuant to subparagraph
18 (B) in response to a petition for revocation
19 that is filed in accordance with that sub-
20 paragraph, then the review shall be con-
21 ducted pursuant to procedures established
22 by the Secretary. The results of such re-
23 view and the applicable procedures shall
24 not be reviewable in any court.



1 “(iii) PUBLICATION OF RESULTS OF
2 REVIEW.—The Secretary shall publish any
3 determination made pursuant to this sub-
4 paragraph in the Federal Register.”.

5 (b) ALIASES.—Section 219 of the Immigration and
6 Nationality Act (8 U.S.C. 1189) is amended—

7 (1) by redesignating subsections (b) and (c) as
8 subsections (c) and (d), respectively; and

9 (2) by inserting after subsection (a) the fol-
10 lowing new subsection (b):

11 “(b) AMENDMENTS TO A DESIGNATION.—

12 “(1) IN GENERAL.—The Secretary may amend
13 a designation under this subsection if the Secretary
14 finds that the organization has changed its name,
15 adopted a new alias, dissolved and then reconsti-
16 tuted itself under a different name or names, or
17 merged with another organization.

18 “(2) PROCEDURE.—Amendments made to a
19 designation in accordance with paragraph (1) shall
20 be effective upon publication in the Federal Register.
21 Subparagraphs (B) and (C) of subsection (a)(2)
22 shall apply to an amended designation upon such
23 publication. Paragraphs (2)(A)(i), (4), (5), (6), (7),
24 and (8) of subsection (a) shall also apply to an
25 amended designation.



1 “(3) ADMINISTRATIVE RECORD.—The adminis-
2 trative record shall be corrected to include the
3 amendments as well as any additional relevant infor-
4 mation that supports those amendments.

5 “(4) CLASSIFIED INFORMATION.—The Sec-
6 retary may consider classified information in amend-
7 ing a designation in accordance with this subsection.
8 Classified information shall not be subject to disclo-
9 sure for such time as it remains classified, except
10 that such information may be disclosed to a court ex
11 parte and in camera for purposes of judicial review
12 under subsection (c).”.

13 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
14 Section 219 of the Immigration and Nationality Act (8
15 U.S.C. 1189) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (3)(B), by striking “sub-
18 section (b)” and inserting “subsection (c)”;

19 (B) in paragraph (6)(A)—

20 (i) in the matter preceding clause (i),
21 by striking “or a redesignation made under
22 paragraph (4)(B)” and inserting “at any
23 time, and shall revoke a designation upon
24 completion of a review conducted pursuant



1 to subparagraphs (B) and (C) of para-
2 graph (4)”; and

3 (ii) in clause (i), by striking “or redesi-
4 gnation”;

5 (C) in paragraph (7), by striking “, or the
6 revocation of a redesignation under paragraph
7 (6),”; and

8 (D) in paragraph (8)—

9 (i) by striking “, or if a redesignation
10 under this subsection has become effective
11 under paragraph (4)(B),”; and

12 (ii) by striking “or redesignation”;
13 and

14 (2) in subsection (c), as so redesignated—

15 (A) in paragraph (1), by striking “of the
16 designation in the Federal Register,” and all
17 that follows through “review of the designa-
18 tion” and inserting “in the Federal Register of
19 a designation, an amended designation, or a de-
20 termination in response to a petition for revoca-
21 tion, the designated organization may seek judi-
22 cial review”;

23 (B) in paragraph (2), by inserting “,
24 amended designation, or determination in re-



1 sponse to a petition for revocation” after “des-
2 ignation”;

3 (C) in paragraph (3), by inserting “,
4 amended designation, or determination in re-
5 sponse to a petition for revocation” after “des-
6 ignation”; and

7 (D) in paragraph (4), by inserting “,
8 amended designation, or determination in re-
9 sponse to a petition for revocation” after “des-
10 ignation” each place that term appears.

11 (d) SAVINGS PROVISION.—For purposes of applying
12 section 219 of the Immigration and Nationality Act on
13 or after the date of enactment of this Act, the term “des-
14 ignation”, as used in that section, includes all redesigna-
15 tions made pursuant to section 219(a)(4)(B) of the Immi-
16 gration and Nationality Act (8 U.S.C. 1189(a)(4)(B))
17 prior to the date of enactment of this Act, and such redes-
18 ignations shall continue to be effective until revoked as
19 provided in paragraph (5) or (6) of section 219(a) of the
20 Immigration and Nationality Act (8 U.S.C. 1189(a)).



1 SEC. 702. INCLUSION IN ANNUAL DEPARTMENT OF STATE
2 COUNTRY REPORTS ON TERRORISM OF IN-
3 FORMATION ON TERRORIST GROUPS THAT
4 SEEK WEAPONS OF MASS DESTRUCTION AND
5 GROUPS THAT HAVE BEEN DESIGNATED AS
6 FOREIGN TERRORIST ORGANIZATIONS.

7 (a) INCLUSION IN REPORTS.—Section 140 of the
8 Foreign Relations Authorization Act, Fiscal Years 1988
9 and 1989 (22 U.S.C. 2656f) is amended—

10 (1) in subsection (a)(2)—

11 (A) by inserting “any terrorist group
12 known to have obtained or developed, or to have
13 attempted to obtain or develop, weapons of
14 mass destruction,” after “during the preceding
15 five years,”; and

16 (B) by inserting “any group designated by
17 the Secretary as a foreign terrorist organization
18 under section 219 of the Immigration and Na-
19 tionality Act (8 U.S.C. 1189),” after “Export
20 Administration Act of 1979,”;

21 (2) in subsection (b)(1)(C)(iii), by striking
22 “and” at the end;

23 (3) in subsection (b)(1)(C)—

24 (A) by redesignating clause (iv) as clause
25 (v); and



1 (B) by inserting after clause (iii) the fol-
2 lowing new clause:

3 “(iv) providing weapons of mass de-
4 struction, or assistance in obtaining or de-
5 veloping such weapons, to terrorists or ter-
6 rorist groups; and”;

7 (4) in subsection (b)(2)—

8 (A) by redesignating subparagraphs (C),
9 (D), and (E) as (D), (E), and (F), respectively;
10 and

11 (B) by inserting after subparagraph (B)
12 the following new subparagraph:

13 “(C) efforts by those groups to obtain or
14 develop weapons of mass destruction;”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall apply beginning with the first report
17 under section 140 of the Foreign Relations Authorization
18 Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), sub-
19 mitted more than one year after the date of the enactment
20 of this Act.

